

APPENDIX I.1

PATENTDocket No. 1948-4293 US1IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Menard et al

Serial No. : TBA Group Art Unit:

Filed : March 11, 1998 Examiner:

For : **FRICITION MATERIAL DESIGNED FOR FITTING TO A DEVICE EMPLOYING  
FRICITION IN A LIQUID MEDIUM, AND THE METHOD OF PRODUCING SUCH  
A FRICTION MATERIAL AND THE DEVICE TO WHICH IT IS FITTED**

INFORMATION DISCLOSURE STATEMENT

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98.

The items listed on Form PTO-1449, a copy of which is enclosed, may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☒ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an International Search Report from the corresponding International Application noting the relevance of that item is enclosed:  
DE A 3 231 310; DE A 2 935 205; EP A 0 223 642; EP A 0 530 741
2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☒ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior ☒ Continuation, ☐ Divisional or ☐ Continuation-In-Part application under 37 C.F.R. §1.60, U.S. Serial No. 08/553 573 filed November 27, 1996.
4. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

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- ☒ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
- ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.
- ☒ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.
5. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):
- ☐ A check in the amount of \$220.00 is enclosed in payment of the fee.
- ☐ Charge the fee to Deposit Account No. 13-4500. Order No. \_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
- b. the attached petition requesting consideration of this Information Disclosure Statement; and
- c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.
8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
- a. ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unparentable and is accompanied by the attached Petition To Withdraw Application From Issue;
- b. ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.
- c. The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.

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9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).
- ☐ Charge the fee due under 37 C.F.R. §1.17(i)(1) to Deposit Account No. 13-4500. Order No. \_\_\_\_\_ A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500. Order No. 1948-4293 US1 A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN &amp; FINNEGAN, L.L.P.

Dated: March 11, 1998By: Ian G. DiBernardo  
Registration No. 40 991

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Rev. 9/29/95

APPENDIX I

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<b>FORM PTO-1449</b>  <b>U.S. DEPARTMENT OF COMMERCE</b> <b>PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE CITATION</b>  <i>(Use several sheets if necessary)</i>	<b>ATTY. DOCKET NO.</b> 1948-4293 US1	<b>SERIAL NO</b> TBA
	<b>APPLICANT(S)</b>	
	<b>FILING DATE</b>	<b>GROUP ART UNIT</b>

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2,733,797	2/7/56	Almen et al.			
	5,273,819	12/93	Jea	428	297	
	4,836,507	6/89	Yang	264	143	
	4,743,643	5/88	Royer	523	150	
	4,130,537	12/78	Bohrer	260	38	
	4,790,052	12/88	Olry	28	110	
	4,861,809	8/89	Ogawa et al.	523	149	
	5,304,225	4/94	Gardziella et al	51	298	

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	742,043	12/21/95	Great Britain				
	601,903	5/13/48	Great Britain				
	0 451 320 A2	10/16/91	European Patent Office (English)				
	3,231,310 A 1	2/23/94	Germany				X
	2,935,205 A 1	4/9/81	Germany				X
	0 233 642	10/2/85	European Patent Office (French)				X
	0 530 741 A1	3/10/95	European Patent Office (French)				X

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, Etc.)**

	JP910071291/92-410-157 Derwent abstract, 29 October 1992
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<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

M&amp;F REV 06/29/9

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FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO 1948-4293 US1		SERIAL NO TBA	
<b>INFORMATION DISCLOSURE CITATION</b>  <i>(Use several sheets if necessary)</i>				APPLICANT(S)  FILING DATE			
				GROUP ART UNIT			

  

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		3,936,552	2/76	Krupp et al.	428	64	
		4,895,882	1/90	Asano et al.	523	145	
		4,785,029	11/88	Honma et al.	523	153	
		3,971,669	7/76	Wrzesien et al.	156	148	
		4,374,211	2/83	Gallagher et al.	523	156	
		4,775,705	10/88	Parker et al	523	153	
		4,369,263	1/83	Matsushima et al	523	152	

  

FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

  

OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Papers, Etc.)</i>		
		JP910071291/92-410457 Derwent abstract, 29 October 1992

  

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Docket No. 1948-4293US1IN THE UNITED STATES PATENT AND TRADEMARK OFFICERECEIVED  
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OFFICIAL

Applicant(s) : Menard et al.  
Serial No. : 09/041,538 Group Art Unit: 1771  
Filed : March 11, 1998 Examiner: A. Singh  
For : **FRICITION MATERIAL DESIGNED FOR FITTING TO A DEVICE  
EMPLOYING FRICTION IN A LIQUID MEDIUM, AND THE  
METHOD OF PRODUCING SUCH A FRICTION MATERIAL AND  
THE DEVICE TO WHICH IT IS FITTED**

REQUEST FOR INITIALED PTO-1449 AND  
PUBLICATION OF REFERENCE CITATIONS ON PATENT TO ISSUE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The following request is submitted in response to a Notice of Allowance dated **February 12, 2004**, and setting a issue fee due date of **May 12, 2004**. No fee and petition are believed to be necessary for consideration of this request. However, should any fee be deemed necessary, the Commissioner is authorized to charge Deposit Account No. 13-4500, Order No. 1948-4293US1. A DUPLICATE COPY OF THIS SHEET IS ATTACHED. Moreover, should any petition be deemed necessary for consideration of this Request, such petition is hereby made.

REMARKS

The Applicants request return by the Office of an initialed PTO-1449 verifying consideration of all foreign references submitted to the Office by Information Disclosure Statement. The Applicants make this request to ensure that such foreign references are printed on the face of the patent to issue on this application.

With the filing of the present continuation application on March 11, 1998, the Applicants submitted an Information Disclosure Statement (IDS) and PTO-1449 (both attached as Appendix